

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In Re.

No. C 09-814 MHP (pr)

MARCELL WILLIS,

**ORDER OF DISMISSAL**

Petitioner.

This action was opened when petitioner filed a motion for a temporary restraining order to prevent his transfer to an out-of-state prison facility. Upon receipt of that document, the court sent to petitioner a notice that he had to pay the \$350.00 filing fee or file an in forma pauperis application to commence an action. Petitioner then wrote to the court asking that his complaint be withdrawn because he did not want to pay the filing fee. Accordingly, this action is dismissed. No filing fee is due. The clerk shall close the file.

IT IS SO ORDERED.

Dated: June 15, 2009

  
Marilyn Hall Patel  
United States District Judge